

In re Patent Application of:

OCKENFUSS ET AL.

Serial No. 10/785,384

Filed: 02/23/2004

REMARKS

Prior to the forgoing amendments, claims 1-11 and 22-35 were pending. With the cancellation of claims 5 and 35 and the addition of claim 36, claims 1-4, 6-11, 22-34, and 36 are currently pending. Reconsideration of this application in light of the foregoing amendments and following remarks is respectfully requested.

The notice of allowable subject matter in claims 5-7, 23, 24, 26-29 and 32 is gratefully appreciated. In an effort to place claim 1 and the claims dependent thereon in condition for allowance, claim 1 has been amended to include the limitations of objected-to claim 5, which has been cancelled. Since amended claim 1 now includes the subject matter of claim 5 (indicated to be allowable), it is respectfully submitted that claim 1, and claims 2-4, 6-11, and 22, dependent thereon, are in condition for allowance.

Similarly, objected to claim 23 has been placed in self-contained form by being amended to include the limitations of claim 1 and intervening claim 22. As such, it is respectfully submitted that claim 23, as well as claims 24-34, dependent thereon, are in condition for allowance.

New claim 36 includes the limitations recited in previously presented claim 3, including the limitations of previously amended base claim 1 and intervening claim 2. No new matter has been added. The definition of the invention in claim 36 is believed to be patentable over the reference to Saito et al, relied upon in the rejection of claim 3.

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More particularly, it is respectfully submitted that Saito et al do not disclose an infrared filter including a plurality of dielectric layers, a plurality of metal layers alternating with the dielectric layers, and a plurality of corrosion suppression layers disposed between the dielectric layers and the metal layers, wherein the metal layers comprise a first metal having a first galvanic potential and the corrosion suppression layers include a second metal having a second galvanic potential, the second galvanic potential being greater than the first galvanic potential, as recited in claim 3, and set forth in claim 36.

Referring to paragraph [00054], Saito et al discuss a structure having alternating layers of a dielectric and a metal, where the metal is silver or a silver/palladium alloy. Saito et al do not discuss a structure having both silver layers and silver/palladium alloy layers. Namely, Saito et al disclose providing only one type of metal per layered structure, not two different metals, in particular, metal layers having a first galvanic potential and corrosion suppression layers including a second metal having a second galvanic potential, where the second galvanic potential is greater than the first galvanic potential, as claimed in claims 3 and 36.

As discussed in paragraph [0061] of the present application, providing differing galvanic potentials is believed to offer superior corrosion suppression. Since Saito et al do not disclose providing differing galvanic potentials, it is submitted that new claim 36 is allowable.

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In addition to the above discussed amendments, claim 1 has been amended to correct typographical errors, claim 2 has been amended to remove redundancy, claims 6, 23 and 34 have been amended to clarify that which is claimed, claims 23, 27, 29, 30, and 31 have been amended to correct antecedents, and claims 24, 25, 30, 31, 33 and 34 have been amended to correct dependencies.

Applicants respectfully submit that the foregoing amendments place the application in condition for allowance. Accordingly, applicants respectfully request that these amendments be entered and would appreciate early and favorable reconsideration of the application.

Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 50-1465 and please credit any excess fees to such deposit account.

Respectfully submitted,



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